

O 101109Z JUN 08
FM AMEMBASSY COPENHAGEN
TO SECSTATE WASHDC IMMEDIATE 4294
INFO SECDEF WASHINGTON DC PRIORITY

S E C R E T COPENHAGEN 000332

SIPDIS
NOFORN

E.O. 12958: DECL: 06/09/2018

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SUBJECT: DANISH FM MOELLER ASKS FOR HELP ON OVERFLIGHTS AND
INTERROGATION ISSUES

Classified By: Deputy Chief of Mission Sandra Kaiser.
For reasons 1.4 (b, c, d),

¶1. (S/NF) Summary: In a May 27 meeting on the margins of the Arctic Ocean Conference in Ilulissat, Greenland (septels), FM Moeller asked Deputy Secretary Negroponte for help with the Danish government's investigation into press accounts of possible U.S. rendition flights through Danish airspace. The Deputy Secretary noted that U.S. policy is not to comment publicly on this issue, and suggested that U.S. and Danish legal advisors meet to discuss the issue further. End Summary.

¶2. (U) Background: The Deputy Secretary was accompanied in this meeting by Ambassador Cain, OES A/S McMurray, Legal Advisor Bellinger, D Special Assistant Wittenstein, and REO Hall (note taker). Moeller was joined by MFA Legal Advisor Peter Taksoe-Jensen; MFA Press Secretary Ulrik Vestergaard Knudsen; FM Personal Secretary Nicolaj Petersen; and MFA Arctic and Greenland Affairs Officer, Anja Bikram Jeffrey.

¶3. (S/NF) Moeller recalled previous official assurances that the U.S. had not violated Danish rules or international law, but said new press accounts and parliamentary pressure required a public affirmation from the U.S. and clarification about specific flights.

¶4. (S/NF) The Deputy Secretary recommended that legal advisors from both governments meet to discuss this issue, while noting that standard U.S. policy is not to comment publicly. FM Moeller indicated that he understood the dilemma facing the U.S., particularly with respect to other countries who have asked for similar assurances, but he emphasized that Denmark needs answers to its questions. Moeller remarked, however, that the Danish government is prepared to work with the U.S. on which questions to ask. The Deputy Secretary again suggested that the matter be addressed by legal advisors.

¶5. (C) Moeller then raised Danish concerns about interrogation techniques used against terror suspects, reminding the Deputy Secretary of Denmark's opposition to the practice of "waterboarding." The Deputy Secretary stated that waterboarding had only been used in the limited instances described publicly by the Director of the Central Intelligence Agency and that it is not one of the approved techniques today. Moeller asked whether he could say publicly that he had been informed that the U.S. currently does not use this technique, and the Deputy Secretary replied that he could.

¶6. (U) The Deputy Secretary's party has reviewed this cable.

CAIN